

REMARKS

The application presently contains claims 1-8. In the Office Action mailed 20 March, 2006 the Examiner required restriction to one of the following inventions under 35 U.S.C.121 (*see* instant Office Action, page 2):

Group I-X. Claims 1-8, in part, drawn to a nucleic acid selected from 10 different nucleic acid molecules, classified in class 536, subclass 23.1. Each group is directed to a patentably distinct nucleic acid from the group of SEQ ID NOS 7, 9, 11, 12, 13, 14, 15, 16, 17 and 18.

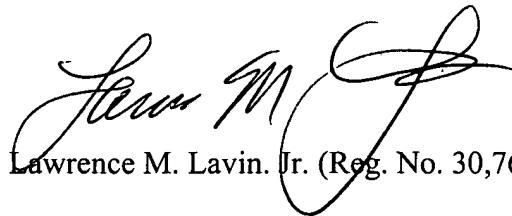
In the instant Office Action, the Examiner required under 35 U.S.C.121 restriction to a single sequence upon election of any one of the Groups.

Applicants respectfully traverse the restriction requirement, and provisionally elect Group III, SEQ ID NO: 11 for further prosecution.

Applicants submit that restriction to a single nucleotide sequence is improper, as the Office has partially waived the requirements of 37 CFR 1.141 and will permit a reasonable number of such nucleotide sequences to be claimed in a single application.

Should the Examiner have any questions regarding this application, the Examiner is encouraged to contact Applicants' undersigned representative at (314) 694-3602.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lawrence M. Lavin, Jr.", is written over the printed name and registration number.

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Application No.: 10/626,717
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DATE: May~~7~~⁸, 2006

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